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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 RAYMUNDO A. JAIME,

11 Petitioner,

No. CIV S-00-1235 DFL CMK P

12 vs.

13 PEOPLE OF THE STATE OF
14 CALIFORNIA, et al.,

15 Respondents.

ORDER

16 _____/
17 Petitioner, a state prisoner proceeding pro se, has filed this application for a writ
18 of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On April 27, 2005, the magistrate judge filed findings and recommendations
21 herein which were served on all parties and which contained notice to all parties that any
22 objections to the findings and recommendations were to be filed within fifteen days. Petitioner
23 has filed objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
25 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
26 file, the court finds the findings and recommendations to be supported by the record. As to
claims one (sufficiency of the evidence) and three (Berry's testimony), I find that the state court

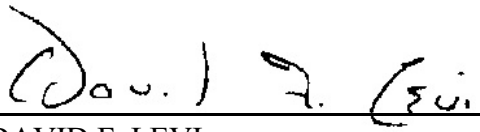
1 of appeal decision was not contrary to or an unreasonable application of clearly established
2 supreme Court precedent. As to the remaining claims, I adopt the analysis in the findings and
3 recommendations.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The findings and recommendations filed April 27, 2005, are adopted to the
6 extent stated above; and

7 2. Petitioner's petition for writ of habeas corpus is DENIED.

8 DATED: 9/26/2005

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12 DAVID F. LEVI
United States District Judge
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